THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) The information is being collected and will be laid on the Table of the House.

(b) Section 86(7) of the Representation of the People Act, 1961, provides that "Every Election Petition shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date on which the Election Petition is presented to the High Court for trial."

Appointment of retired judges for clearance of pending cases

2084. SHRI NANA DESHMUKH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware of the news-item titled "Clearing backlog" which appeared in the Hindustan Times dated 15th January, 2000 and would consider the proposal of appointing retired judges and magistrates according to their expertise to clear the backlog in law courts;

(b) if so, by when; and

(c) if not, what are the other ways Government propose to take in order to clear the long pending cases in the courts especially when the Ministry is headed by a legal luminary?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) Government is aware of the news item.

Appointments of Judges in the Supreme Court of India and the High Courts are made in accordance with the provisions of the Constitution and the procedure laid down in this regard. Basically in its sound suggestion and the government is seriously considering it in addition to many other measures.

Appointments in the Subordinate Judiciary are made by the State Governments in consultation with the concerned High Courts.

(b) No time can be fixed but it would be as early as a decision is reached.

(c) Various steps have been taken by the Government for speedy disposal of cases. These include amendment of the Civil Procedure Code and the Code of Criminal Procedure, increase in the number of posts of Judges/Judicial officers, establishment of Special Courts/tribunals and adoption of alternative modes of

dispute resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes.

In addition to the above, the Supreme Court of India and various High Courts have taken number of steps for expeditious disposal of cases. viz., grouping and classification of cases involving similar question of law setting up of specialised benches, computerization of records, etc.

Backlog of pending cases in various courts

2085. SHRI ABANI ROY: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government's attention have been drawn to the newsitem captioned "Justice delayed is justice denied" which appeared in the Hindustan Times dated 11th February, 2000;

(b) if so, whether it is a fact that despite several law Commissions and various recommendations made by Supreme Court, the backlog of pending cases in various courts have not been affected;

(c) if so, whether Government have also not accepted the recommendations of Law Commission and Supreme Court in this regard; and

(d) the time by which an effective action would be taken in this regard?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) Yes, Sir.

(b) The pendency of cases in the Supreme Court of India which was 1,04,936 as on 31.12.1991, has come down to 20,260 as on 1.02.2000.

The pendency of cases in the High Courts, which was 26.51 lakhs as on 31.12.1993, increased to about 32.51 lakhs as on 31.12.1998 and was about 33 lakhs cases as on 31.12.1999.

As per available information, the pendency of cases in the District/ Subordinate Courts as on 31.12.95 was 2.18 crore. The pendency has decreased to 2.02 crore as on 31.12.1998.

(c) and (d) Action for quick and speedy disposal of cases is a continuous process. On the basis of the recommendations of the Law Commission as well as from other Committee and Conferences, including the Chief Justices' Conference, various steps have been taken by the Government for speedy